

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Crim. No. 09-58 (WHW)

vs. : Hon. William H. Walls

FAROD THOMAS : DETENTION ORDER

This matter having been opened to the Court on motion of the United States, by Ralph J. Marra, Jr., Acting United States Attorney for the District of New Jersey (Eric T. Kanefsky, Assistant United States Attorney, appearing), in the presence of Linda Foster, Assistant Federal Public Defender, attorney for defendant Farod Thomas, for an order pursuant to Title 18, United States Code, Section 3142(e), detaining defendant Farod Thomas without bail pending trial in the above-entitled matter, and the Court having considered the presentations of counsel on March 25, 2009, and defendant Farod Thomas having temporarily waived his right to present further information to the Court, the Court makes the following findings:

1. On January 29, 2009, an Indictment was filed charging defendant Thomas with knowingly possessing in and affecting commerce a firearm after having been previously convicted of a felony, in violation of Title 18, United States Code, Section 922(g)(1). The offense charged carries a maximum penalty of 10 years' imprisonment.

2. The defendant was granted bail by Magistrate Judge Esther Salas on February 23, 2009. Defendant Thomas is now alleged to have violated the terms of this bail by committing another federal, state or local crime.

2. Based upon the Pretrial Services Report, it appears that defendant Thomas has violated the terms of his Bail, has a significant criminal history, including numerous previous arrests arising out of domestic violence incidents, no current employment, no individual willing to serve as a third-party custodian for him and limited financial resources.

3. Having considered the factors set forth in Title 18, United States Code, Section 3142(g), the Court finds that no condition or combination of conditions will reasonably assure the appearance of defendant Thomas as required and the safety of the community.

IT IS, therefore, on this 25th day of March, 2009,

ORDERED, pursuant to Title 18, United States Code, Section 3142, that defendant Thomas be committed to the custody of the Attorney General or his authorized representative pending trial; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 3142(i), that defendant Thomas be confined in a

corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 3142(i), that defendant Thomas be afforded reasonable opportunity for private consultations with counsel; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 3142(i), that, upon order of this or any other court of the United States of competent jurisdiction or on request of an attorney for the United States, defendant Thomas shall be delivered to a United States Marshal for the purpose of appearances in connection with court proceedings; and it is further

ORDERED that the motion of the United States for an order detaining defendant Thomas without bail pending trial is hereby granted, and defendant Thomas is hereby ordered detained pending trial in the above-entitled matter.



HONORABLE WILLIAM H. WALLS
United States District Judge